OCT 27 2009
PATENT & TRADEMARK OFFICE

Request for Continued Examination (RCE) Transmittal

Application Number	10/058,264
Filing Date	January 29, 2002
First Named Inventor	Koji Tomioka
Art Unit	2455
Examiner Name	Thuong Nguyen
Attorney Docket Number	NEC01P260-HIa

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified Application.

1. **Submission required under 37 CFR 1.114**

Note: If the RCE is proper, any previously filed unentered Amendments and Amendments enclosed with the RCE will be entered in the order in which they were filed unless Applicant instructs otherwise. If Applicant does not wish to have any previously unentered Amendment(s) entered, Applicant must request non-entry of such Amendment(s).

a. [X] **Previously submitted.** If a Final Office Action is outstanding, any Amendments filed after the final Office Action may be considered as a submission even if this box is not checked.

i. [] Consider the arguments in the Appeal Brief or Reply Brief Previously filed on _____

ii. [] Other _____

b. [X] **Enclosed**

i. [] Amendment/Reply

ii. [] Affidavit(s)/Declaration(s)

iii. [] Information Disclosure Statement(IDS)

iv. [X] Other Petition and Fee for a One-Month EOT

2. **Miscellaneous**

a. [] Suspension of action on the merits on the above-identified Application is requested under 37 CFR 1.103(c) for a period of _____ months.

[] Other _____

3. **Fees**

a. [X] The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments to Deposit Account No. **50-0481**.

i. [] RCE fee required under 37 CFR 1.17(e)

ii. [] Extension of Time fee (37 CFR 1.136 and 1.17)

iii. [X] Other: Deficiencies Only

b. [X] Check in the amount of $ 940.00 enclosed.

Signature of Applicant, Attorney or Agent Required

Signature		**Date**	October 27, 2009
Name (Print/Type)	Phillip E. Miller	**Reg. Number**	46,060

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